

104TH CONGRESS  
2D SESSION

# H. R. 3580

To ensure that employees who work under a security agreement that requires such employees to pay union dues as a condition of employment have a right to object to the use of their dues for political, legislative, social, or charitable purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 1996

Mr. FAWELL (for himself, Mr. GINGRICH, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. CUNNINGHAM, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. FUNDERBURK, Mr. GOSS, and Mrs. SEASTRAND), introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

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## A BILL

To ensure that employees who work under a security agreement that requires such employees to pay union dues as a condition of employment have a right to object to the use of their dues for political, legislative, social, or charitable purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Worker Right to Know  
5 Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The United States Supreme Court an-  
4 nounced in the landmark decision, Communications  
5 Workers of America v. Beck (487 U.S. 735), that  
6 employees who work under a union security agree-  
7 ment, and are required to pay union dues as a con-  
8 dition of employment, may not be forced to contrib-  
9 ute through such dues to union-supported political,  
10 legislative, social, or charitable causes with which  
11 they disagree, and may only be required to pay dues  
12 related to collective bargaining, contract administra-  
13 tion, and grievance adjustment necessary to per-  
14 forming the duties of exclusive representation.

15 (2) Little action has been taken by the National  
16 Labor Relations Board to facilitate the ability of em-  
17 ployees to exercise their right to object to the use of  
18 their union dues for political, legislative, social, or  
19 charitable purposes, or other activities not necessary  
20 to performing the duties of the exclusive representa-  
21 tive of employees in dealing with the employer on  
22 labor-management issues, and the Board only re-  
23 cently issued its first ruling implementing the Beck  
24 decision nearly 8 years after the Supreme Court is-  
25 sued the opinion.

1           (3) The evolution of the right enunciated in the  
2       Beck decision has diminished its meaningfulness be-  
3       cause employees are forced to forego critical work-  
4       place rights bearing on their economic well-being in  
5       order to object to the use of their dues for purposes  
6       unrelated to collective bargaining, to rely on the very  
7       organization they are challenging to make the deter-  
8       mination regarding the amount of dues necessary to  
9       the union's representational function, and do not  
10      have access to clear and concise financial records  
11      that provide an accurate accounting of how union  
12      dues are spent.

13 **SEC. 3. PURPOSE.**

14      The purpose of this Act is to ensure that workers who  
15      are required to pay union dues as a condition of employ-  
16      ment have adequate information about how the money  
17      they pay in dues to a union is spent and to remove obsta-  
18      cles to the ability of working people to exercise their right  
19      to object to the use of their dues for political, legislative,  
20      social, or charitable causes with which they disagree, or  
21      for other activities not necessary to performing the duties  
22      of the exclusive representative of employees in dealing with  
23      the employer on labor-management issues.

1 **SEC. 4. WORKER CHOICE.**

2 (a) RIGHTS OF EMPLOYEES.—Section 7 of the Na-  
3 tional Labor Relations Act is amended by striking “mem-  
4 bership” and all that follows and inserting the following:  
5 “the payment to a labor organization of dues or fees relat-  
6 ed to collective bargaining, contract administration, or  
7 grievance adjustment necessary to performing the duties  
8 of exclusive representation as a condition of employment  
9 as authorized in section 8(a)(3).”.

10 (b) UNFAIR LABOR PRACTICES.—Section 8(a)(3) of  
11 such Act is amended by striking “membership therein”  
12 and inserting “the payment to such labor organization of  
13 dues or fees related to collective bargaining, contract ad-  
14 ministration, or grievance adjustment necessary to per-  
15 forming the duties of exclusive representation”.

16 **SEC. 5. WORKER CONSENT.**

17 (a) WRITTEN AGREEMENT.—Section 8 of the Na-  
18 tional Labor Relations Act is amended by adding at the  
19 end the following:

20 “(h) An employee subject to an agreement between  
21 an employer and a labor organization requiring the pay-  
22 ment of dues or fees to such organization as authorized  
23 in section 8(a)(3) may not be required to pay to such orga-  
24 nization, nor may such organization accept payment of,  
25 any dues or fees not related to collective bargaining, con-  
26 tract administration, or grievance adjustment necessary to

1 performing the duties of exclusive representation unless  
2 the employee has agreed to pay such dues or fees in a  
3 signed written agreement that must be renewed between  
4 the first day of September and the first day of October  
5 of each year. Such signed written agreement shall include  
6 a ratio, certified by an independent auditor, of the dues  
7 or fees related to collective bargaining, contract adminis-  
8 tration, or grievance adjustment necessary to performing  
9 the duties of exclusive representation and the dues or fees  
10 related to other purposes.”.

11 (b) WRITTEN ASSIGNMENT.—Section 302(c)(4) of  
12 the Labor Management Relations Act, 1947 is amended  
13 by inserting before the semicolon the following: “: *Provided*  
14 *further*, That no amount may be deducted for dues unre-  
15 lated to collective bargaining, contract administration, or  
16 grievance adjustment necessary to performing the duties  
17 of exclusive representation unless a written assignment  
18 authorizes such a deduction”.

19 **SEC. 6. WORKER NOTICE.**

20 Section 8 of the National Labor Relations Act is  
21 amended by adding at the end the following:

22 “(i) An employer shall be required to post a notice,  
23 of such size and in such form as the Board shall prescribe,  
24 in conspicuous places in and about its plants and offices,  
25 including all places where notices to employees are cus-

1 tomarily posted, informing employees of their rights under  
2 section 7 of this Act and clarifying to employees that an  
3 agreement requiring the payment of dues or fees to a labor  
4 organization as a condition of employment as authorized  
5 in subsection (a)(3) may only require that employees pay  
6 to such organization any dues or fees related to collective  
7 bargaining, contract administration, or grievance adjust-  
8 ment necessary to performing the duties of exclusive rep-  
9 resentation. A copy of such notice shall be provided to  
10 each employee not later than 10 days after the first day  
11 of employment.”.

12 **SEC. 7. WORKER ECONOMIC RIGHTS.**

13       Section 8(b)(1) of the National Labor Relations Act  
14 is amended by inserting after “therein;” the following:  
15 “except that, an employee subject to an agreement be-  
16 tween an employer and a labor organization requiring as  
17 a condition of employment the payment of dues or fees  
18 to such organization as authorized in subsection (a)(3),  
19 who pays such dues or fees, shall have the same right to  
20 participate in the affairs of the organization related to col-  
21 lective bargaining, contract administration, or grievance  
22 adjustment as any member of the organization;”.

23 **SEC. 8. DISCLOSURE TO WORKERS.**

24       (a) **EXPENSES REPORTING.**—Section 201(b) of the  
25 Labor-Management Reporting and Disclosure Act of 1959

1 is amended by adding at the end the following new sen-  
2 tence: “Every labor organization shall be required to at-  
3 tribute and report expenses by function classification in  
4 such detail as necessary to allow its members to determine  
5 whether such expenses were related to collective bargain-  
6 ing, contract administration, or grievance adjustment nec-  
7 essary to performing the duties of exclusive representation  
8 or were related to other purposes.”.

9 (b) DISCLOSURE.—Section 201(c) of the Labor-Man-  
10 agement Reporting and Disclosure Act of 1959 is amend-  
11 ed—

12 (1) by inserting “and employees required to pay  
13 any dues or fees to such organization” after “mem-  
14 bers”; and

15 (2) inserting “or employee required to pay any  
16 dues or fees to such organization” after “member”  
17 each place it appears.

18 (c) REGULATIONS.—The Secretary of Labor shall  
19 prescribe such regulations as are necessary to carry out  
20 the amendments made by this section not later than 120  
21 days after the date of the enactment of this Act.

22 **SEC. 9. EFFECTIVE DATE.**

23 This Act shall take effect on the date of enactment,  
24 except that the requirements contained in the amendments

- 1 made by sections 5 and 6 shall take effect 60 days after
- 2 the date of the enactment of this Act.

